

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Carmen I Quinones

Write the full name of each plaintiff.

____ CV ____
(Include case number if one has been assigned)

-against-

COMPLAINT

NYCHHC Jacobi Medical Center

Christine Brown, Administrator

Janet Hernandez, Assistant Director

Seth Sokol, Director

Do you want a jury trial?

☒ Yes ☐ No

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

☒ **Federal Question**

☐ **Diversity of Citizenship**

A. If you checked Federal Question

Which of your federal constitutional or federal statutory rights have been violated?

Employment Discrimination (race, national origin, sex)

Retaliation

Equal Pay

B. If you checked Diversity of Citizenship

1. Citizenship of the parties

Of what State is each party a citizen?

The plaintiff, _____, is a citizen of the State of
(Plaintiff's name)

(State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant, _____, is a citizen of the State of
(Defendant's name)

or, if not lawfully admitted for permanent residence in the United States, a citizen or
subject of the foreign state of

If the defendant is a corporation:

The defendant, _____, is incorporated under the laws of
the State of _____

and has its principal place of business in the State of _____

or is incorporated under the laws of (foreign state) _____

and has its principal place of business in _____.

If more than one defendant is named in the complaint, attach additional pages providing
information for each additional defendant.

II. PARTIES

A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional
pages if needed.

Carmen	I	Quinones
First Name	Middle Initial	Last Name
66 Empire Drive		
Street Address		
Patterson	NY	12563
County, City	State	Zip Code
347-717-5827	carmenmorano75@gmail.com	
Telephone Number	Email Address (if available)	

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1:	<div>NYCHHC Jacobi Medical Center</div> <hr/> <div> <div>First Name</div> <div>Last Name</div> </div> <hr/> <div> <div>Current Job Title (or other identifying information)</div> <div>1400 Pelham Parkway South</div> </div> <hr/> <div> <div>Current Work Address (or other address where defendant may be served)</div> <div> <div>Bronx</div> <div>NY</div> <div>10461</div> </div> <hr/> <div> <div>County, City</div> <div>State</div> <div>Zip Code</div> </div> </div>
Defendant 2:	<div>Christine</div> <div>Brown</div> <hr/> <div> <div>First Name</div> <div>Last Name</div> </div> <hr/> <div> <div>Current Job Title (or other identifying information)</div> <div>Administrator, Cath Lab</div> </div> <hr/> <div> <div>Current Work Address (or other address where defendant may be served)</div> <div> <div>1400 Pelham Parkway South</div> </div> <hr/> <div> <div>Current Work Address (or other address where defendant may be served)</div> <div> <div>Bronx</div> <div>NY</div> <div>10461</div> </div> <hr/> <div> <div>County, City</div> <div>State</div> <div>Zip Code</div> </div> </div></div>
Defendant 3:	<div>Janet</div> <div>Hernandez</div> <hr/> <div> <div>First Name</div> <div>Last Name</div> </div> <hr/> <div> <div>Current Job Title (or other identifying information)</div> <div>Assistant Director, Cath Lab</div> </div> <hr/> <div> <div>Current Work Address (or other address where defendant may be served)</div> <div> <div>1400 Pelham Parkway South</div> </div> <hr/> <div> <div>Current Work Address (or other address where defendant may be served)</div> <div> <div>Bronx</div> <div>NY</div> <div>10461</div> </div> <hr/> <div> <div>County, City</div> <div>State</div> <div>Zip Code</div> </div> </div></div>

Defendant 4: Seth Sokol

First Name	Last Name	
Director, Cath Lab		
Current Job Title (or other identifying information)		
1400 Pelham Parkway South		
Current Work Address (or other address where defendant may be served)		
Bronx,	NY	10461
County, City	State	Zip Code

III. STATEMENT OF CLAIM

Place(s) of occurrence: Jacobi Medical Center

Date(s) of occurrence: 3/2019 - Present

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

In 2019, the Cath Lab was undergoing new construction for PCI services. Ms. Brown asked if I would be interested in filling the position of materials management. I quickly accepted with the condition that I would begin additional duties after I signed the updated functional job description following a raise. Ms. Brown and Dr. Sokol did not like my response and since then, I was harassed everyday by Ms. Brown to perform duties that were out of title. This event was reported to the EEOC (#520-2019-01757).

In the year of 2020, multiple incidents have occurred. I was being pulled to cover other areas of Cardiology on a daily basis and was not able to attend my duties. I requested overtime, but was denied and was told that the front office will not be allowed overtime, only clinical staff. However, overtime was given to other front staff members (Laura Toribio and Annie Fernandez).

One of the few days I was able to attend my duties of ordering O.R. supplies, I was extremely busy. I received an email midday from Ms. Brown regarding reminder calls.

After returning from lunch, I responded to her email and was told to pass by her office before the end of my shift. Ms. Brown told me that I have to screenshot my work throughout the day and send it to her to prove how busy I am. I was written up for not responding to my emails moments after receipt. I reported this incident to EEOC

(#520-2021-00443)

I had applied to two different positions within Cardiology. I was the best candidate for the positions due to my experience working in the Cath Lab since 2005. more attached

INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

Mental and emotional distress have transpired as a result of these actions. Behavioral Health providers have prescribed medication to cope with extreme stress.

IV. RELIEF

State briefly what money damages or other relief you want the court to order.

I am entitled to money damages for lost and promotional wages denied due to retaliation. Also damages for mental and emotional distress from harassment and creating a hostile work environment.

V. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

<u>6/10/2022</u>		<u><i>Carmen Quinones</i></u>
Dated		Plaintiff's Signature
<u>Carmen</u>	<u>I</u>	<u>Quinones</u>
First Name	Middle Initial	Last Name
<u>66 Empire Drive</u>		
Street Address		
<u>Patterson</u>	<u>NY</u>	<u>12563</u>
County, City	State	Zip Code
<u>347-717-5827</u>	<u>carmenmorano75@gmail.com</u>	
Telephone Number	Email Address (if available)	

I have read the Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☒ Yes ☐ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.

Carmen Quinones

66 Empire Drive
Patterson, NY 12563
(347) 717-5827
carmenmorano75@gmail.com

June 10, 2022

In 2004, I was hired at Jacobi Medical Center as a Medical Assistant (Patient Care Associate) servicing the Adult Emergency Room. After a year, I decided the AED was not a suitable place for me and learned of a new Cardiac Cath Lab department opening. I quickly applied, scheduled an interview, and was hired on the spot. Although I was hired as a PCA in the Cath Lab in 2005, I was constantly proving to my administrator (Sally Slotoroff) that I am capable of more than just patient care. I created and developed the brochures that would introduce the new Cardiac Cath Lab to the community. I also created and developed the encounter forms that were being utilized for medical billing. My administrator noticed my talents and took me under her wings as her assistant. Between 2005-2016, I was promoted and received title changes 4 times due to my hard work and dedication throughout the years.

In December 2016, the Assistant Director (Julien Ebbri) gave his 2 week notice of resignation. My administrator was frazzled on his decision to depart and became worried of his replacement or fulfillment of his duties ordering surgical supplies for the Cath Lab. Although I had enough work on my plate, I didn't like the look of dismay on Sally's face. Not only was she my administrator, but she was also my friend, my mentor, my sister. I have asked her for advice and Sally would always give me the best guidance and support. So with that said, I told her that I would help with ordering supplies. She responded with "thank you. I will request a raise for the added duties." Months had gone by and Sally continued to attempt an approval for a raise. The executive administrator, Walter Dusseldorp, disapproved even though increased responsibilities granted a discretionary salary adjustment. During this time, a huge layoff was in process and Sally decided to retire in September 2017. Everything had been off the table and I was now stuck and responsible for ordering for the Cath Lab with no compensation.

In October 2017, soon after Sally retired, I contacted my union CWA Local 1180 regarding a grievance concerning the application or interpretation of the terms of my contract. Venus Williams was a representative assigned to me concerning my grievance. I had explained to Ms. Williams on numerous occasions discrepancies within my functional job description and she refused to listen and would brush me off. I was discouraged on how I was being treated and let down by the people who are supposed to protect the workers within the union. I had to accept that I was alone dealing with this situation and I wasn't going to receive any help. I continued to order for the Cath Lab not knowing that this would somehow lead to a disastrous future.

Some time in 2019, a new administrator (Christine Brown) was hired. I welcomed and offered my services to her if needed. After a few months, the Cath Lab was undergoing new construction for PCI (percutaneous coronary intervention) services, which meant a whole lot more responsibilities, especially in ordering surgical supplies. Ms. Brown asked if I would be interested in filling the position of materials management. I quickly accepted with the condition that I would begin additional duties after I had signed the updated functional job description along with the raise. I guess by me saying this, it didn't sit well with both Ms. Brown or Dr. Sokol (Director of Cath Lab). Everyday Ms. Brown would ask me to go to the lab and count supplies. After a few times doing what was asked of me to do didn't seem right. I felt she was setting me up for failure. It was impossible to count and eyeball such a large inventory of supplies that I wasn't comfortable or familiar with. The Cath Lab was not set up properly with a system to manage inventory and used nursing to provide par levels and tracking. I requested to approve overtime so that I could set up a system to track inventory but was denied. Everyday became challenging and was harassed by Ms. Brown to perform duties out of title. I became more reluctant to adhere to her requests due to failed acknowledgement from prior requests of raise and union representation. This began a whole series of events that have led up to discrimination and retaliation. I had reported this event to the EEOC.

During the year of 2020, multiple incidents have occurred. I was being pulled to cover other areas of Cardiology on a daily basis and was not able to attend my duties. I requested to receive overtime but was denied and was told that the front office will not be allowed overtime, only clinical staff. What I couldn't understand was how other front staff (Laura Toribio and Annie Fernandez) were able to get overtime.

One of the few days I was able to attend my duties of ordering supplies, I was extremely busy. I received an email midday from Ms. Brown regarding reminder calls. After returning from lunch, I responded and was told to pass by her office before I left to go home. I arrived at her office and was presented with both Ms Brown and Nicole Patrice (supervisor of Diagnostic Suite). Ms. Brown asked why I didn't have time to do reminder calls. I responded that I was not given ample time to get this activity done. I was told I would be given 48 hours in advance to attend this added duty. Ms. Brown proceeded to say that I needed to screenshot my work throughout the day and send it to her to show how busy I am. I immediately became insulted and disappointed especially by Nicole Patrice that agreed with such an outlandish request. I requested the meeting to be over and to speak with my union rep. The following day, I spoke with Labor Relations and to my union rep regarding the incident. About a week or two later, a meeting was held with the executive administrator (Janice Halloran) and I was written up for not responding to emails moments after receipt.

Although there was friction, I applied to the Coordinating Manager Lvl-B Materials Management position in the Cath Lab. This was something I had been doing for the past 4 years and I was truly amazing at it. I received an interview and hoped that I would be considered for the position. To my surprise on December 7, 2020, Mr. Arie Childs introduced himself to me as the new materials manager. I had also reported this to the EEOC.

In 2021, another position was posted for Coordinating Manager Lvl-B in the diagnostic suite or non-invasive cardiology. I applied for the position and received an interview. The supervisor for the Diagnostic Suite (Janet Hernandez) brought me to her office, Dr. Sokol was on speaker phone and he said "Carmen burned her bridges. I will not consider her as a candidate for the position." I was quite stunned and perplexed as to why he would say that. Ms. Sabrina Benjamin Rivera was hired for the position.

In November 2021, Janet Hernandez approached me and said that Mr. Childs is not working out and would need my assistance. I again would be honored to help but would need to receive a raise for the additional duties. Janet proceeded to say that I would receive a 10% raise but couldn't change my title because they can't have 2 people with the same title doing the same duties. I took her explanation to be true and accepted the 10% without title change. Weeks later I received an acceptance letter from HR (Ms. Lee) regarding the

position and the salary change. I was offered 4% by HR, not 10% as I was told I would receive. Ms. Lee also advised me to sign my functional job description although it was incorrect and needed to be updated. At this point, I felt that something wasn't right and decided to turn down the offer. There have been other staff alike that have received more than 10% raise such as Laura Toribio, Annie Fernandez and Deodat Budhram.

In conclusion, I am very passionate and take pride in the work I do everyday. I always stand on the side of what is right and strive to be the best at what I do. Events that have transpired were results from retaliation and discrimination.

Sincerely,

Carmen Quinones